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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,168	03/23/2006	Ali Zaps	2003P13650WOUS	6647
22116 7590 09/03/2008 SIEMENS CORPORATION INTELLECTUAL PROPERTY DEPARTMENT 170 WOOD AVENUE SOUTH ISELIN, NJ 08830				
EXAMINER				
STEVENS, THOMAS H				
ART UNIT		PAPER NUMBER		
2121				
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09/03/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/573,168

Applicant(s)

ZIPS, ALF

Examiner

THOMAS H. STEVENS

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 July 2008.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-29 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 9-19 and 21 is/are rejected.
7) ☒ Claim(s) 20, 22-29 is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/CIS)
Paper No(s)/Mail Date 06/10/2008
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. Claims 9-29 were examined.

Section I: Final Rejection

Claim Objections

2. Claims 20, 22-29 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 9-19 and 21 are rejected under 35 U.S.C. 102(b) as being anticipated by Tapperson et al., (US Patent 5,682,476; hereafter Tapperson). Tapperson discloses a redundant wireless access of a field of devices (abstract).

Claim 9. An arrangement for transmitting data (data running between control room and field devices, column 4, lines 8-16 with figure 2) between a hand-held electronic unit (figure 1, element 38) and a field device (column 3, line 24), the arrangement comprising: a hand-held electronic unit (figure 1, element 38); a field device (spelling error, field device, column 3, line 24) having at least one electrical connector for connecting the field device to an operating power supply (suggestion of delivering power to a device, column 1, lines 50-67) and having a field device (column 3, line 24) coupling interface, the connector configured to receive from the operating power supply (suggestion of delivering power to a device, column 1, lines 50-67) an operating power (suggestion of delivering power to a device, column 1, lines 50-67) sufficient for supporting all normal operations (applicants not specific on this limitation; section discusses operations despite disruption, column 6, lines 8-21) of the field device (column 3, line 24) when employed in a technical facility (e.g., industrial plant, column 1, lines 25-27); and a cable having first end second cable ends (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67) for transmitting the data, the first cable (cable from the handheld device, column 4, lines 55-58) end configured to be connected to the hand-held electronic unit (figure 1, element 38), and the second cable end (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67) having a cable end coupling interface for establishing a wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13) via the

second cable end (assuming the wireless port establishes connection to this hardware H1 fieldbus port, column 6, lines 62-67) to the field device coupling interface (suggestion of twisted pair wiring to a device to which must have a detachable connection and must happen in order to maintenance to be performed, column 4, lines 52-58) such that both the data and an operating power sufficient for supporting the data transmission are transmitted to the field device via the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13).

Claim 10. The arrangement according to claim 9, wherein the transmitted operating power sufficient for supporting the data transmission is smaller than the operating power sufficient for supporting all normal operations (applicants not specific on this limitation; section discusses operations despite disruption, column 6, lines 8-21) of the field device when employed in a technical facility (e.g., industrial plant, column 1, lines 25-27).

Claim 11. The arrangement according to claim 9, wherein the field device (column 3, line 24) coupling interface is arranged on a housing of the field device (column 3, line 24).

Claim 12. The arrangement according to claim 9, wherein the cable end coupling interface is configured to form a detachable connection to the field device coupling interface (suggestion of twisted pair wiring to a device to which must have a detachable connection and must happen in order to maintenance to be performed, column 4, lines 52-58).

Claim 13. The arrangement according to claim 9, wherein the hand-held electronic unit (figure 1, element 38) comprises an input keypad and a display, the hand-held electronic unit (figure 1, element 38) forms an operator terminal for operating the field device and the electrical connector is a network port (abstract, "Fieldbus port" which part of the Fieldbus control network).

Claim 14. The arrangement according to claim 9, further comprising a circuit for establishing the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13), the circuit having a standby state with low power demand and an operating state, the operating state triggered upon establishing the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13), (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67) wherein the operating power sufficient for supporting the data transmission is transmitted to the circuit.

Claim 15. The arrangement according to claim 9, wherein the field device (column 3, line 24) is protected against hazards caused by an explosion (section discloses some operations functional if an explosion occurs, column 6, lines 8-31).

Claim 16. A hand-held electronic unit, comprising a cable having first end second cable ends (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67)for transmitting data (data running between control room and filed devices, column 4, lines 8-16 with figure 2)to a field device, the first cable (cable from the handheld device, column 4, lines 55-58)end configured to be connected to the hand-held electronic unit, (figure 1, element 38) and the second cable end (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67)having a cable end coupling interface for establishing a wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13) to the field device (column 3, line 24) having a field device coupling interface (suggestion of twisted pair wiring to a device to which must have a detachable connection and must happen in order to maintenance to be performed, column 4, lines 52-58), wherein the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13) is configured to transmit to the field device (column 3, line 24)both the data and an operating power sufficient for supporting the data transmission via the second cable end(assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67).

Claim 17. The hand-held electronic unit (figure 1, element 38) according to claim 15, wherein the transmitted operating power sufficient for supporting the data transmission is smaller than an operating power sufficient for supporting all normal operations

(applicants not specific on this limitation; section discusses operations despite disruption, column 6, lines 8-21) of the field device when employed in a technical facility (e.g., industrial plant, column 1, lines 25-27).

Claim 18. A field device, (column 3, line 24) comprising: field device (column 3, line 24) coupling interface for connecting the field device (column 3, line 24) to a hand-held electronic unit (figure 1, element 38) via a wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13); an electrical connector for connecting the field device (column 3, line 24) to an operating power supply, the connector configured to receive from the operating power supply (suggestion of delivering power to a device, column 1, lines 50-67) an operating power sufficient for supporting all normal operations (applicants not specific on this limitation; section discusses operations despite disruption, column 6, lines 8-21) of the field device when employed in a technical facility (e.g., industrial plant, column 1, lines 25-27); a cable having first end second cable ends for transmitting data (data running between control room and field devices, column 4, lines 8-16 with figure 2) from the hand-held electronic unit (figure 1, element 38) to the field device the first cable (cable from the handheld device, column 4, lines 55-58) end configured to be connected to the hand-held electronic unit, and the second cable end (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67) having a cable end coupling interface for establishing the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13) to the field

device (column 3, line 24) via the field device coupling interface (suggestion of twisted pair wiring to a device to which must have a detachable connection and must happen in order to maintenance to be performed, column 4, lines 52-58), wherein the wireless proximity connection (section discloses wireless access to field devices from the control room, column 6, line 9-13) (assuming the wireless port establishes connection to this hardwire H1 fieldbus port, column 6, lines 62-67) is configured to transmit to the field device(column 3, line 24) both the data and an operating power sufficient for supporting the data transmission.

Claim 19. The field device according to claim 18, wherein the transmitted operating power sufficient for supporting the data transmission is smaller than an operating power sufficient for supporting all normal operations (applicants not specific on this limitation; section discusses operations despite disruption, column 6, lines 8-21) of the field device (column 3, line 24) when employed in a technical facility (e.g., industrial plant, column 1, lines 25-27).

Claim 21. The arrangement according to claim 9, wherein the field device has a network port, wherein the field device(column 3, line 24) is connected to a network via the network port (abstract, "Fieldbus port" which part of the Fieldbus control network).

Section II: Response to Arguments

Claim Objections/Abstract/Specification

5. Objections are withdrawn.

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6. Applicants are thanked for addressing this issue; however, the prior art denoted in the office action denotes a second cable end. The proximity connection is inherently taught by the wireless connection between the control room and the field devices (see column 6, lines 10-15). Furthermore, the prior art does anticipate wireless transmission of operating power (title, "...Providing Operating Power to Wireless Transceiver Connected..."; also see column 8, lines 56-61). Rejection stands.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Tom Stevens whose telephone number is 571-272-3715.

If attempts to reach the examiner by telephone are unsuccessful, please contact examiner's supervisor Mr. Albert Decady (571-272-3819). The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Answers to questions regarding access to the Private PAIR system, contact the Electronic Business Center (EBC) (toll-free (866-217-9197)).

/Albert Decady/
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/Thomas H. Stevens/
Examiner, Art Unit 2121